



# **Montana Fish, Wildlife & Parks**

2300 Lake Elmo Drive  
Billings MT 59105

1/24/2017

## **EA NOTICE**

TO: Environmental Quality Council\*  
Director's Office, Dept. of Environmental Quality\*  
Montana Fish, Wildlife & Parks\*  
    Director's Office  
    Parks Division  
    Fisheries Division  
    Wildlife Division  
    Comm Ed Division  
    Lands Section  
    Design & Construction  
    Legal Unit  
    Regional Supervisors  
John Tubbs, Governor's Office\*  
Dave Parker, Communications Director, Governor's Office\*  
Montana Historical Society, State Preservation Office\*  
Janet Ellis, Montana Audubon Council\*  
Montana Wildlife Federation\*  
Montana State Library\*  
George Ochenski  
William Semmens, MDT\*  
Bob Gibson\*  
Brett French\*  
Montana Environmental Information Center\*  
Wayne Hirst, Montana State Parks Foundation\*  
FWP Commissioner Matt Tourtlotte\*  
Montana Parks Association/Our Montana (land acquisition projects)  
Matt Wolcott, DNRC Area Manager, Southern Land Office\*  
Big Horn County Commissioners\*  
Other Local Interested People or Groups\*  
\* (Sent electronically)

Ladies and Gentlemen:

The enclosed draft Environmental Assessment (EA) has been prepared for fee title purchase of approximately 425 acres of high quality wildlife habitat along the Bighorn River adjacent to the existing Grant Marsh Wildlife Management Area, roughly 7 miles north of Hardin, Montana. This purchase would protect and enhance important riparian habitats, and provide public recreational access. Comments on the draft EA will be accepted through February 24, 2017, by 5:00 p.m.

If you have questions or need additional copies of the draft EA, please contact Montana Fish, Wildlife & Parks at 247-2940. Please send any written comments by mail to: Megan O'Reilly at Montana Fish, Wildlife & Parks, 2300 Lake Elmo Drive, Billings MT 59105; or by e-mail to [moreilly@mt.gov](mailto:moreilly@mt.gov).

Thank you for your interest,

A handwritten signature in black ink, appearing to read "Barb S. Beck", with a stylized flourish at the end.

Barb S. Beck  
Region 5 Supervisor

Enclosure

**DRAFT ENVIRONMENTAL ASSESSMENT**

**GRANT MARSH**

**WILDLIFE MANAGEMENT AREA ADDITION**



**JANUARY 2017**



## **Draft Environmental Assessment**

### **MEPA, NEPA, MCA 23-1-110 CHECKLIST**

#### **PART I. PROPOSED ACTION DESCRIPTION**

##### **A. Type of proposed action**

Montana Fish, Wildlife and Parks (FWP) proposes to purchase by fee title approximately 425 acres of predominantly riparian land along the Bighorn River near Hardin, Montana to be managed as part of the Grant Marsh Wildlife Management Area (WMA). The property is in private ownership and is currently listed for sale.

The purchase, development, and management of this site would enhance the functionality and broaden the conservation “footprint” of the WMA while facilitating public recreational opportunities. The funding for this proposed project would, in part, be derived from the 2013 Habitat Montana spending authorization, which allows for fee title and other types of acquisition. U.S. Fish and Wildlife Service Pittman-Robertson dollars and other partner contributions may also be available to support this proposed purchase.

##### **B. Agency authority for the proposed action**

Montana Fish, Wildlife and Parks has the authority under state law (§ 87-1-201, Montana Code Annotated (MCA)) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future, and to acquire land for this purpose (§ 87-1-209, MCA). Funding dedicated for the acquisition and ongoing maintenance of wildlife habitat is established through MCA 87-1-242.

##### **C. Public Comment:**

The public comment period will extend for thirty days from January 24, 2017. Two public meetings will be held, one each in Billings and Hardin, time and location TBA.

##### **D. Location affected by proposed action:**

Grant Marsh WMA and the proposed acquisition are located approximately 7 miles north of Hardin, Montana in Bighorn County, on the west bank of the Bighorn River. The proposed acquisition comprises 425 acres located in T1N R33E Section 10, T1N R33E Section 15 and T1N R33E Section 22. See vicinity map (Fig. 1) and aerial image (Fig. 2).

Figure 1. Grant Marsh Wildlife Management Area project location map

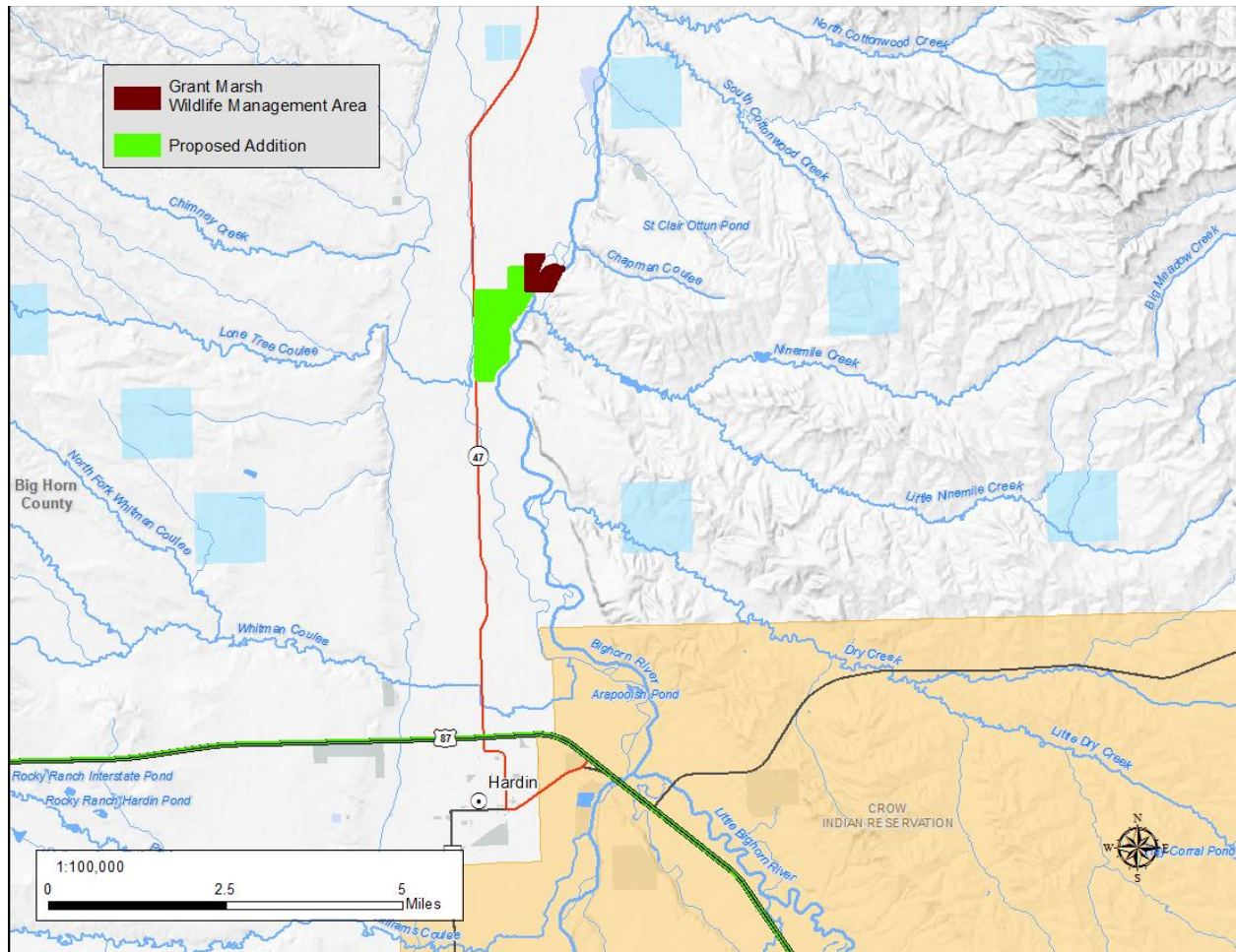
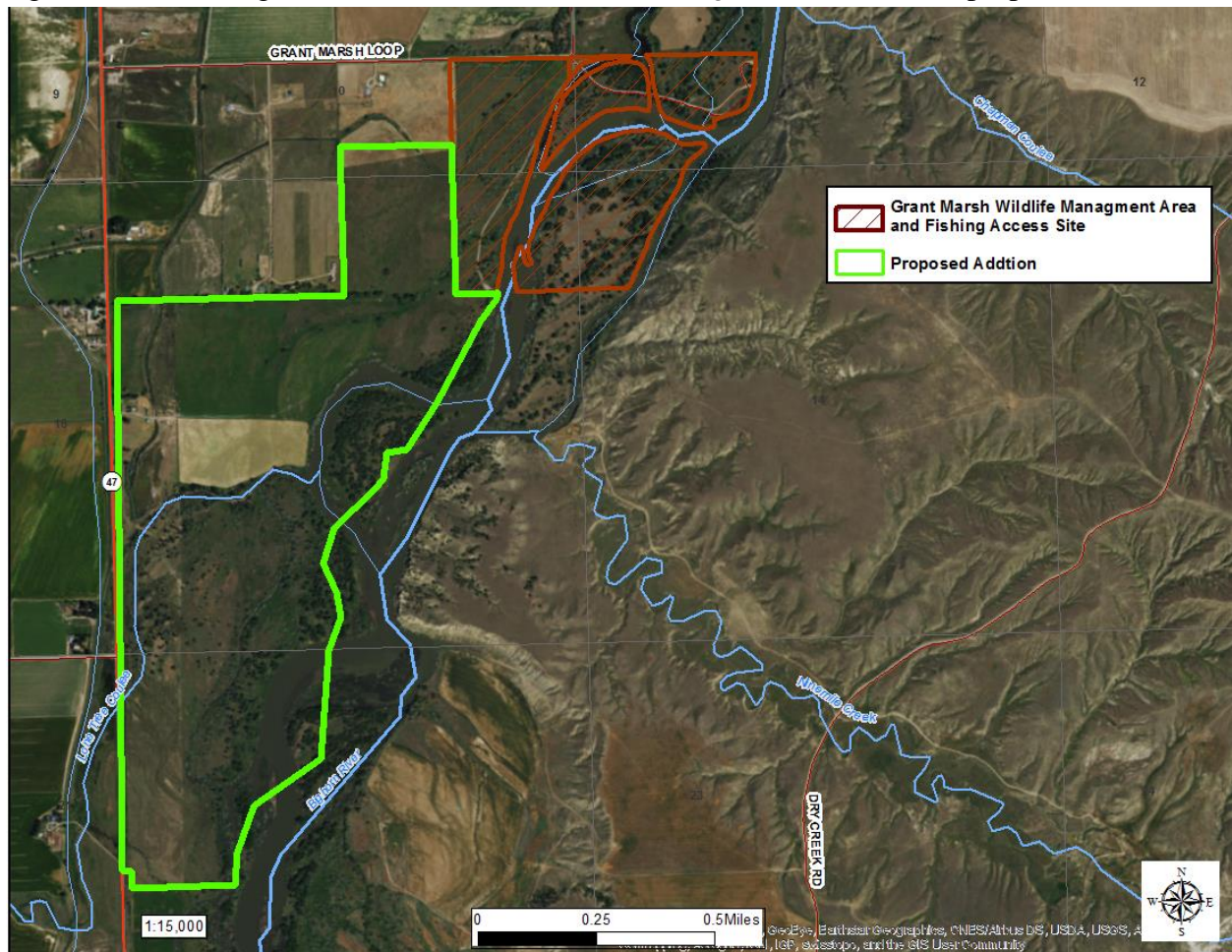




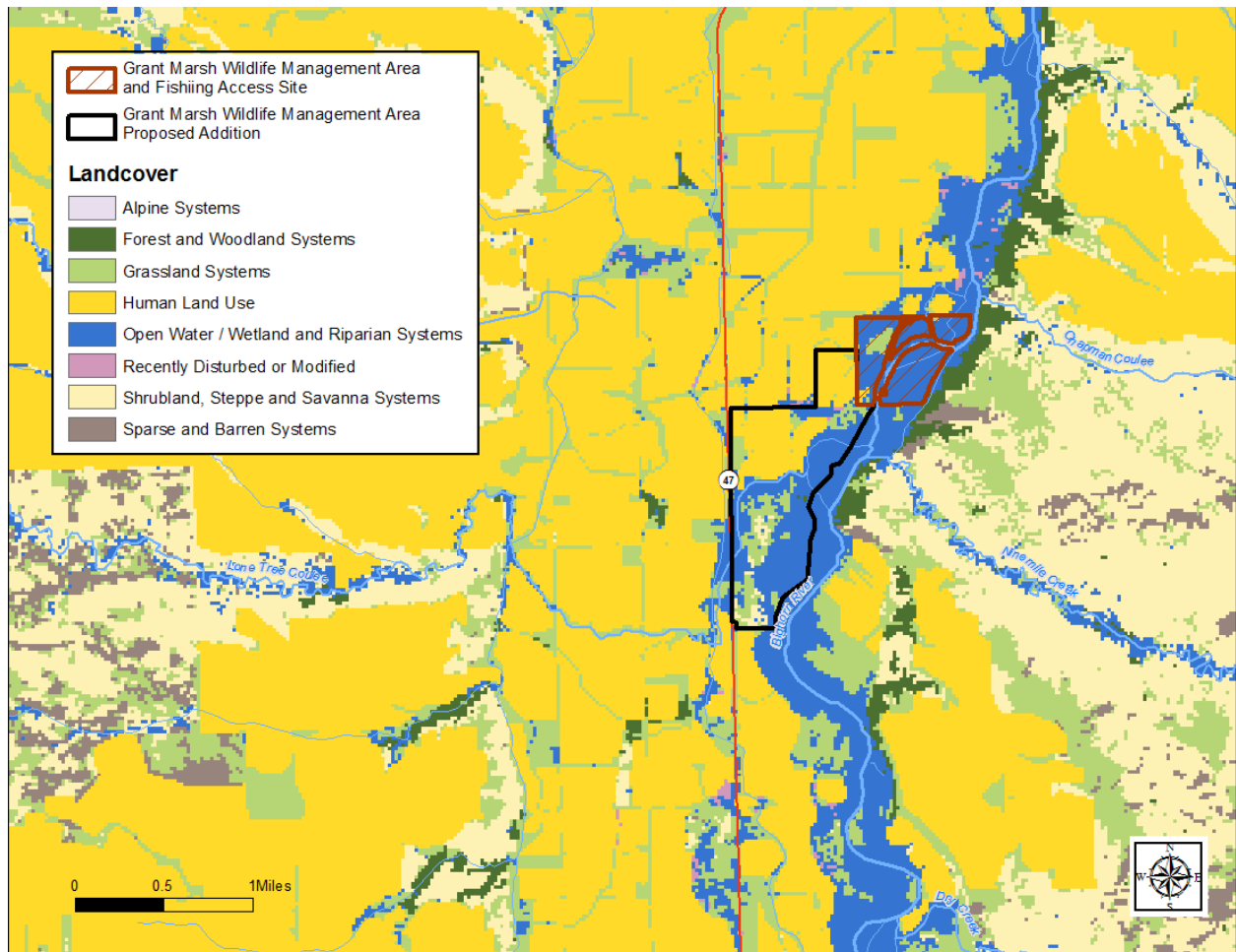
Figure 2. Aerial image of the Grant Marsh Wildlife Management Area and the proposed addition.



## E. Project Size

Approximately 425 acres of river bottom property are proposed for acquisition (Fig. 3). The majority of the property (290 acres) is within the 100-year floodplain. Cover type by acreage is as follows: wetland/riparian (149 acres), rangeland (136 acres), cultivated cropland (135 acres), residential (1 acre), road (4 acres).

Figure 3. Level 1 land cover of the Grant Marsh Wildlife Management Area and proposed addition



## **F. Permits, Funding & Overlapping Jurisdictions**

**Permits:** None required

### **Funding:**

The proposed property would be purchased at the fair market value of \$1,572,000 as determined by a Uniform Standards for Federal Land Acquisitions Appraisal. Approximately 75% of the funds would come from U.S. Fish and Wildlife Service Pittman-Robertson and the remaining 25% from MFWP Habitat Montana.

### **Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name:</u>	<u>Type of Responsibility</u>
Fish and Wildlife Commission	purchase approval
Board of Land Commissioners	purchase approval
Big Horn County Weed District	weed inventory

## **G. Alternatives**

### **Alternative A: No Action**

Under the No Action Alternative, FWP would not purchase the property. The landowner would continue to seek another buyer. There would be no assurance the land would be managed for wildlife or that public access would be provided in perpetuity.

### **Alternative B: Proposed Action**

FWP proposes to purchase approximately 425 acres to manage as part of the adjacent Grant Marsh WMA. Through the Proposed Action, FWP would secure permanent public access to this land and an additional reach of the Bighorn River. Management efforts would include protecting and enhancing the riparian community and actively managing existing agricultural land to benefit wildlife.

## **H. Narrative summary of the proposed action**

Montana Fish, Wildlife & Parks (FWP) proposes the fee title purchase of 425 acres along the Bighorn River in Big Horn County (Fig. 1, 2) using a combination of Federal Pittman Robertson (PR) funds and Habitat Montana funds (hunting license dollars). The property is immediately adjacent to the Grant Marsh WMA (Fig. 2), and would be incorporated into and managed as part of the WMA.

Grant Marsh was purchased in 1978 with the primary intent of providing upland game bird habitat and increased public hunting opportunity. In 1989, approximately 77 acres were transferred to the Region 5 Fisheries Division for a Fishing Access Site. There is a total of 141 acres on the existing WMA and FAS. Both sites are located in FWP Administrative Region 7, Deer/Elk Hunting District 702. Since these sites are located in Bighorn County, Region 5 staff has been responsible for managing these sites. If the proposed acquisition is realized it would be



incorporated into the existing WMA and management would continue out of the Region 5 FWP office in Billings.

The majority of the Bighorn River Valley has been converted to intense irrigated cropland. This addition would conserve one of the largest blocks of intact riparian habitat remaining in the Bighorn River Valley while broadening the conservation footprint of the existing Grant Marsh WMA. A productive complement of wildlife habitat including mature cottonwood galleries and native shrub thickets exist on the property. As a result, this parcel supports pheasants, mule deer, white-tailed deer, Merriam's Turkeys, waterfowl and a variety of other non-game wildlife species. With nearly two miles of river frontage, the addition of this property would not only expand public hunting but also facilitate fishing and other public outdoor recreational activities.

Habitat improvements may include restoring riparian areas to allow natural regeneration of native riparian cottonwood habitats and developing and managing nesting, brood rearing and hiding cover for the benefit of wildlife. Acquisition and management of this site would expand and enhance the functionality of the existing WMA for wildlife habitat, landscape connectivity, and recreational opportunity. Allowing the cottonwood and riparian habitats to regenerate would improve localized bank stabilization and lessen erosion.

All cropland acreage is flood irrigated. It is anticipated that portions of the cropland acres would be enhanced to provide high quality for wildlife habitat, such as annual food/cover plots. Highway 47 borders the western portion of this property and would serve as a primary access point, in addition to the existing Grant-Marsh access road. Vehicle access would be limited to parking areas along the property boundary.

The Montana Department of Transportation (MDT) has secured an aquatic resource conservation easement with the private landowner on a 50-acre parcel of the proposed acquisition adjacent to the western border of the existing Grant Marsh Wildlife Management Area (Fig. 4,5). The goal of the MDT project is to establish 26.85 acres of wetland and riparian floodplain habitat as compensatory mitigation to offset wetland impacts resulting from future transportation projects within Watershed # 14 – Middle Yellowstone River Basin. The approximately 50-acre portion of the property encumbered by the MDT Conservation Easement would be managed cooperatively by MFWP and MDT in compliance with the terms and obligations of the MDT Conservation Easement.

Figure 4. Aerial image of the Grant Marsh Wildlife Management Area and proposed addition including MDT wetland mitigation project.

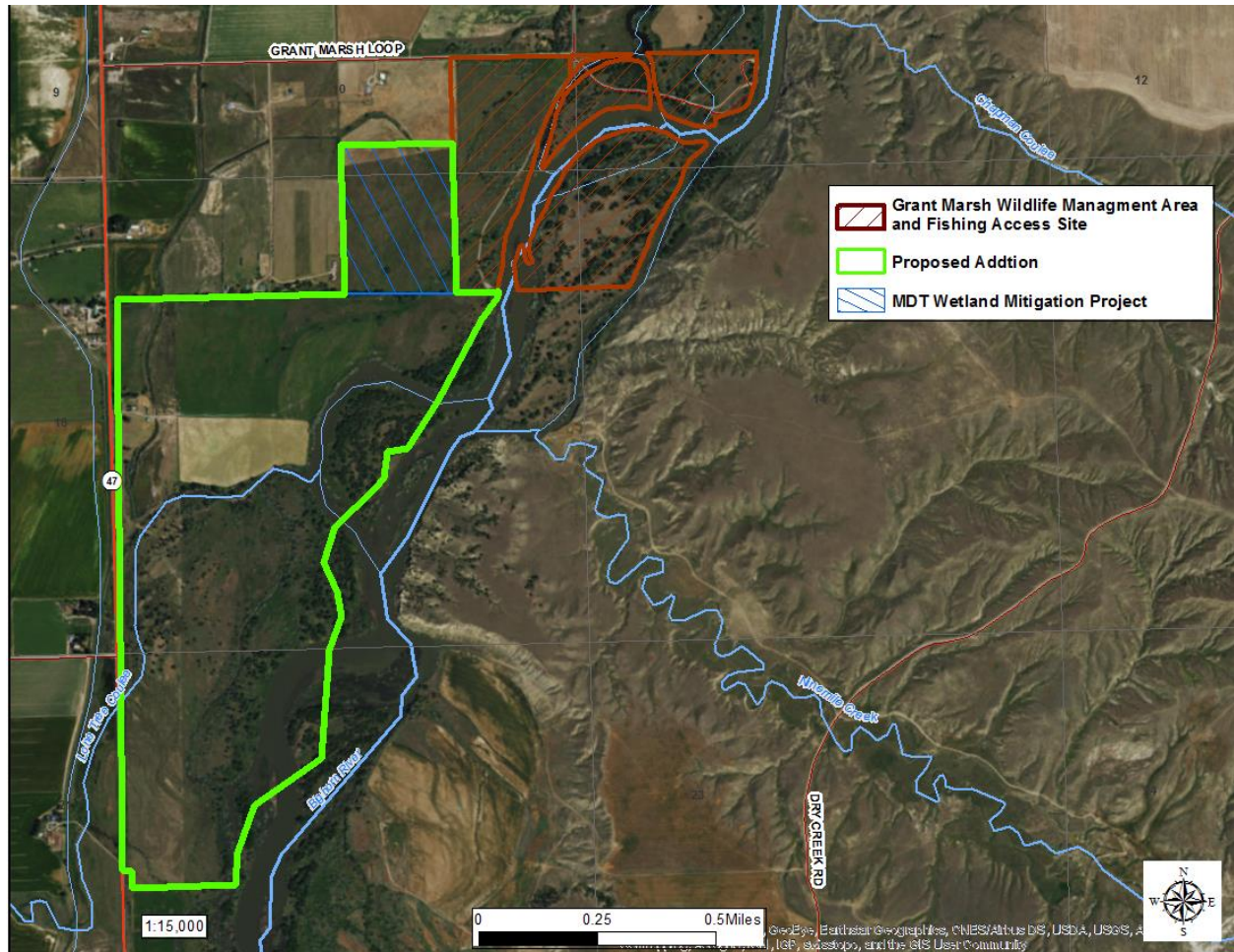
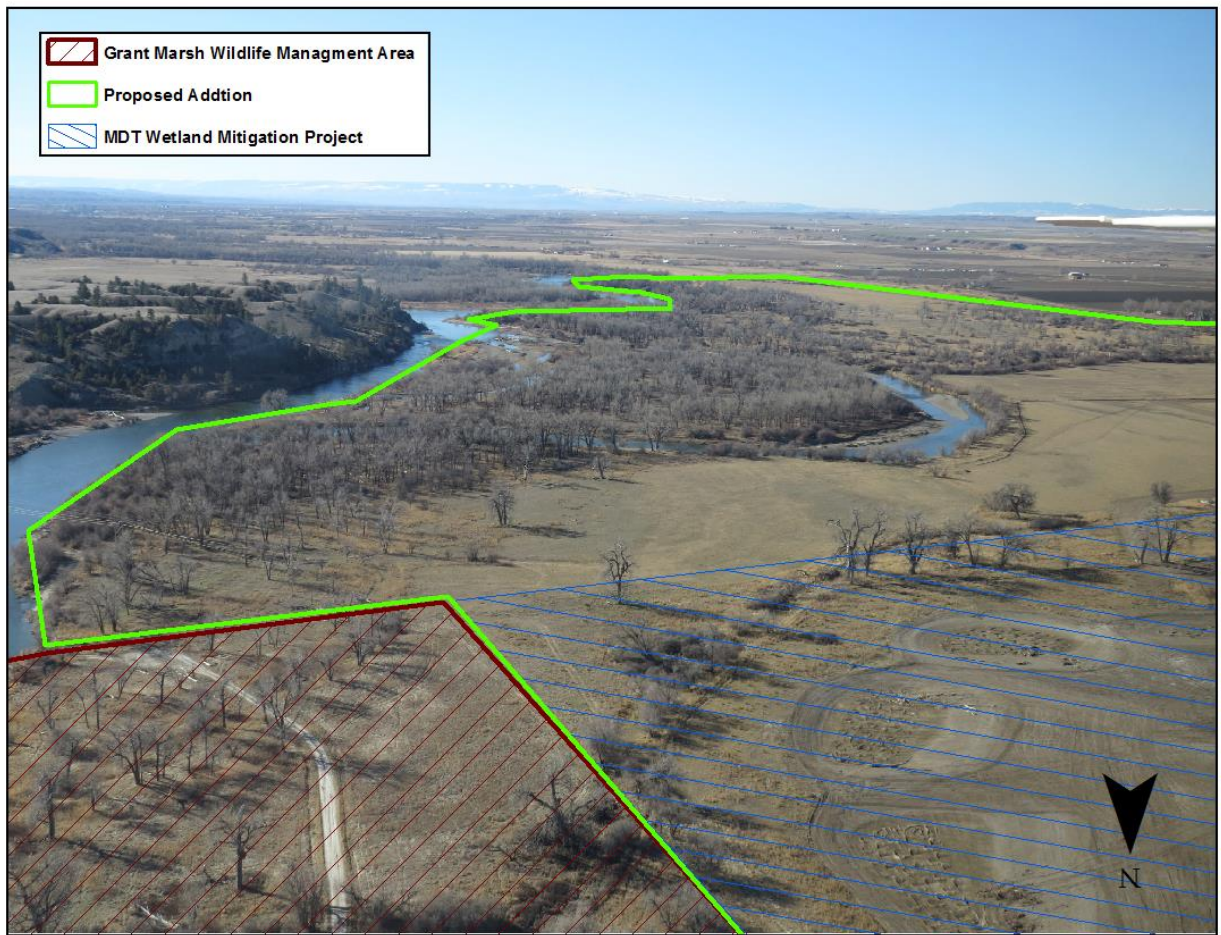


Figure 5. Aerial photograph of the Grant Marsh Wildlife Management Area and proposed addition including a portion of the MDT wetland project. This view is facing south towards the town of Hardin.



## PART II. ENVIRONMENTAL REVIEW CHECKLIST

### A. Physical Environment

<b>1. LAND RESOURCES</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				1a
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

The proposed FWP acquisition would offer positive impacts to soil stability and reduce siltation, deposition, and erosion patterns by allowing riparian zones to recover and portions of agricultural fields to be seeded to grasses and forbs. The intent is for portions of current agricultural fields to continue to be worked annually resulting in temporary disruption or displacement when planting food or cover plots. No changes are anticipated that would alter soil stability, unique geologic or physical features, or expose people or property to a variety of failures of land resources. The landowner would retain oil and gas rights to the property, however no surface occupancy would be allowed because a majority of the parcel is within the 100 year floodplain. Surface mining for removal of gravel or other minerals would not occur.

1a. Allowing the cottonwood and riparian habitats to regenerate would improve localized bank stabilization and lessen erosion.

<b>2. AIR</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions or pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		X				
f. Other		X				

Due to similar management practices and enhanced riparian conservation, air quality is not expected to be adversely affected.

<b>3. WATER</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				
n. Other		X				

FWP's acquisition of the property and management as a WMA would have no effect on existing quality, quantity, or flooding of natural surface waters or groundwater. The proposed FWP acquisition would likely offer positive impacts to water quality through reduced siltation, deposition, and erosion by allowing riparian zones to recover and portions of agricultural fields to be planted to grass or left standing for winter food/cover plots. Vehicle access would be limited. Irrigation rights would transfer to FWP with no change in allocated volume. These rights stem from Two Leggins Water Users Association canal. Crop lands on the property have typically been flood irrigated. This practice would likely continue with modifications to meet the new management focus of raising food and cover plots and habitat restoration.



4. <b>VEGETATION</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X positive			4a
b. Alteration of a plant community?			X positive			4b
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?			X			4d
e. Establishment or spread of noxious weeds?		X				4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other		X				

Impacts to the plant community would be limited through site protection measures, including signs, fencing, and parking area delineation to preclude off-road traffic. Management would promote walk-in use; vehicle use would be limited.

4a. The property would be managed similarly, but with a greater emphasis on restoring riparian vegetation and a shift in agricultural cropland focus in an effort to provide additional wildlife forage and cover. Management plans may include a combination of farm lease and wildlife habitat development.

4b. FWP would evaluate alternative solutions and utilize resources provided through the Montana Habitat Partnership. The partnership between FWP, BLM and Pheasants Forever was formed in 2008 with the goal of improving habitat for ring-necked pheasants and other wildlife species on publicly accessible lands. Certain plant communities offer prime wildlife habitat and will be developed, conserved, or enhanced.

4c. Management as proposed would likely benefit potential plant species of concern due to reduced vehicle travel and disturbance, weed control efforts, and land management practices that conserve and enhance native riparian growth. In a database search conducted by the Montana Natural Heritage program, no federally listed species are known to occur on the parcel.

4d. A small reduction in agricultural production to market may be realized in an effort to improve riparian areas, wildlife habitat, and provide food plots for wildlife. A reduction of cattle grazing may be realized as grazing would be prescribed only as a management tool to benefit the wildlife habitat.

4e. The addition will be managed as part of the Grant Marsh WMA, and will be under the same weed control plan as the existing WMA. The weed community is primarily comprised of Canada thistle and hounds tongue with some small patches of leafy spurge. Tamarisk is also present but previous treatments have greatly reduced its vigor and reduced spread. The proposed acquisition would not result in an expansion of noxious weeds in the area. If the acquisition is completed, FWP would initiate the Statewide and Region 5 Weed Management

Plans using an integrated approach to control noxious weeds on the property using chemical, biological and mechanical methods. FWP would pursue a cooperative agreement with the Big Horn County Weed District and/or utilize private herbicide applicators to manage weeds along roadways and interior lands. Weeds have likely been introduced historically through past flood events. FWP would aggressively manage weeds on the parcel to facilitate the restoration of native vegetation. Portions of the area that currently are annually cropped or irrigated pasture would be established into multiyear stands of dense nesting cover, reducing the extent of annual and noxious weeds. In addition, motorized vehicles would be restricted, which would help prevent the spread of noxious weeds. Because FWP already manages Grant Marsh WMA, this adjacent addition would be integrated into current management.

<b>5. FISH/WILDLIFE</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				5a
b. Changes in the diversity or abundance of game animals or bird species?			X positive			5b
c. Changes in the diversity or abundance of nongame species?			X positive			5c
d. Introduction of new species into an area?		X				5d
e. Creation of a barrier to the migration or movement of animals?		X				5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g
h. For P-R/D-J, will the project be performed in any area in		N/A				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		N/A				
j. Other		X				

5a. The proposed acquisition would protect and enhance one of the largest blocks of intact riparian habitat remaining in the Bighorn River Valley. The Bighorn River riparian corridor is key to maintaining stable white-tailed deer, pheasant, wild turkey and furbearer species populations, primarily because it provides winter habitat. Most of the surrounding uplands lack suitable winter habitat components. The lower Bighorn River also provides habitat for many nongame species, both migratory and resident. The proposed project is expected to have only positive benefits to fish and wildlife habitat because riparian areas would be protected from conversion to cropland or other incompatible uses and they would instead be enhanced for wildlife benefit.

5b/c. In addition to providing year-round and critical winter habitat for important game species the local area provides year round habitat for a variety of nongame species. The Bighorn River corridor provides important habitat for migratory wetland birds, as well as numerous species of raptors and migratory songbirds. There is an active great blue heron rookery on the property. Additionally, the area is used year-round by bald eagles. Many game and nongame species would be expected to benefit from this project.

5d. FWP has no intentions to introduce new species to this area; nor is the risk considered to be greater for new species being inadvertently or purposefully introduced by the public if the proposed acquisition is completed.

5e. FWP management of Grant Marsh WMA and the new addition would be combined, therefore enlarging the footprint of the WMA. The increased size of the WMA and a larger landscape with cohesive management practices would enhance the function of the WMA for providing effective wildlife habitat. The project would not result in creation of wildlife barriers but may improve local connectivity.

5f. According to the Montana Natural Heritage Program several of the following Montana Species of Concern have been observed or are likely to occur on or near the project area:

Common Name	Scientific Name	State Rank
Hoary Bat	<i>Lasiurus cinereus</i>	S3
Little Brown Myotis	<i>Myotis lucifugus</i>	S3
Fringed Myotis	<i>Myotis thysanodes</i>	S3
Great Blue Heron	<i>Ardea herodias</i>	S3
Bald Eagle	<i>Haliaeetus leucocephalus</i>	S3
Golden Eagle	<i>Aquila chrysaetos</i>	S3
Veery	<i>Catharus fuscescens</i>	S3B
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	S3B
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	S3B
Lewis's Woodpecker	<i>Melanerpes lewis</i>	S2B
Long-billed Curlew	<i>Numenius americanus</i>	S3B
Spiny Softshell	<i>Apalone spinifera</i>	S3
Snapping Turtle	<i>Chelydra serpentina</i>	S3
Great Plains Toad	<i>Anaxyrus cognatus</i>	S2
Sauger	<i>Sander canadensis</i>	S2

5g. FWP management of the property would provide opportunities for hunting pheasants, white-tailed deer, turkeys, and waterfowl as allowed by annual hunting regulations. Hunter harvest of game animals does not limit the abundance of game animals because season structures and bag limits are set at sustainable levels to maintain wildlife populations.

## **B. Human Environment**

<b>6. NOISE/ELECTRICAL EFFECTS</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other		X				

Public use of a WMA does not typically create major noise other than intermittent sounds during hunting seasons when rifles or shotguns are fired. The property is proposed to be managed with limited vehicular access so an increase in noise from vehicles is not likely to occur. Hunting is a traditional and common activity in the area and would not serve as a new source of noise. Recreational shooting for non hunting purposes would not be allowed. Purchase of the property is not expected to increase noise above levels currently experienced in the area.

<b>7. LAND USE</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				7b
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other		X				

Management of the property would be absorbed into the existing Grant Marsh WMA, thus no conflicts are anticipated due to similar existing management on these adjacent lands. FWP would work to manage use on the WMA in ways that minimize conflicts with neighbors, such as providing adequate parking, fencing, and signage so that the public can easily recognize public and private land boundaries. Additional wildlife food resources to be established on the WMA have the potential to reduce game damage conflicts with neighboring landowners.

- 7a. A reduction in agricultural production may result through effort to improve riparian areas, wildlife habitat, and provide food plots for wildlife. A reduction of cattle grazing may result as grazing would be prescribed only as a management prescription to benefit wildlife habitat.
- 7b. The Bighorn River riparian zone provides diverse and productive habitat. Conserving this habitat would maintain natural areas and ensure contiguous habitat for over 100 wildlife species.

<b>8. RISK/HEALTH HAZARDS</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				8a
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				8b
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other		X				

No human health hazards are anticipated by the acquisition.

- 8a. If acquired, the Statewide and Region 5 weed management plans call for an integrated method of managing weeds. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe application techniques. Weeds may also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination.
- 8b. The public would be using the same access routes currently used for Grant Marsh WMA. FWP works closely with county emergency response teams to respond to public accidents. The proposed land acquisition is not expected to have a significant impact on the county emergency response teams due to the following factors: 1) limited improvement and therefore limited additional roads/parking/camping on the parcel; 2) restrictions on overnight use; and 3) increased presence by FWP personnel in the immediate area to better manage use.



<b><u>9. COMMUNITY IMPACT</u></b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other		X				

The proposed addition would have no effect on local communities, increasing traffic hazards, or altering the distribution of population in the area. The fee title acquisition would provide additional recreational access. Overall use of the Grant Marsh WMA and FAS may increase due to the additional acreage open to public recreation. Restricting road access, installing boundary signs, and effective enforcement of WMA regulations should help limit improper or illegal uses of the site.

<b><u>10. PUBLIC SERVICES/TAXES/UTILITIES</u></b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources		N/A				10e
f. Define projected maintenance costs.		N/A				10f
g. Other		X				

The proposed action would have no impact on public services/taxes/utilities.

- 10b. FWP is required by law (87-1-603, MCA) to pay taxes in an amount equal to that of a private individual. FWP would continue to make the annual tax payments based on the assessment provided by Big Horn County. The Two Leggins Water Users Association annual assessment, which pays for water used for cropland irrigation, is included in the tax bill.
- 10e. FWP is not expected to gain revenue from the proposed acquisition. A sharecrop lease may be employed to continue farm practices and provide wildlife habitat and wildlife winter forage. Typically there is no net gain in this arrangement as the lease value is paid through services and set aside standing crops for wildlife habitat. FWP would evaluate various habitat management alternatives and their cost effectiveness.
- 10f. Initial costs to maintain this property would be minimal. In an effort to manage public use and limit trespass on neighboring properties, FWP would place signs around the boundary. Annual weed control would primarily be the responsibility of the sharecropper in croplands and FWP would work cooperatively with the Big Horn County Weed District and/or utilize private herbicide applicators to control weeds in other areas. Costs associated with weed control will increase to some extent beyond current costs for Grant Marsh WMA. Because Grant Marsh WMA is adjacent to the property proposed for acquisition, management costs would be less than expected at a new isolated property. FWP personnel already travel to the site and monitor the area. The acquisition would require redirection of some FWP personnel time to implement on-the-ground management applications including development of a habitat management plan which may include new plantings and food plots. The majority of this time commitment would be temporary and the project should not require significantly more daily management effort than is being currently expended. Funding for maintenance and infrastructure improvements would be derived from the Habitat Montana operations and maintenance account, which involves hunting license revenue that is earmarked for these purposes.

<b><u>11. AESTHETICS/RECREATION</u></b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?			X positive			11c
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				
e. Other		X				

11c. The property is accessible off Montana Highway 47 and the Grant Marsh WMA which is accessible via a graveled county road. FWP acquisition would allow more public access – limited only by stay limits, parking, and other management regulations common to public property and resource conservation. This proposed project is a unique opportunity to purchase Bighorn River bottomland and frontage for public use and enjoyment that is strategically located adjacent to an existing WMA. The property can enhance opportunities for wildlife viewing, hiking, photography, and nature study. The habitats on this property are of high value to wildlife and therefore are of high value for wildlife-related public recreation. Recently, several Bighorn River properties in the area have sold to parties that have closed public access for recreational activities. This trend has increased in recent years and is expected to continue.

<b>12. CULTURAL/HISTORICAL RESOURCES</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				
e. Other		X				

Hunting, recreation and crop production are historically and culturally valuable in this area and would be continued, as proposed. No areas are proposed for new surface disturbance or excavation.

### **C. Significance Criteria**

<b>13. SUMMARY EVALUATION OF SIGNIFICANCE</b> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)			X positive			
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		N/A				
g. For P-R/D-J, list any federal or state permits required.		N/A				
h. Other		X				

The proposed acquisition is expected to have no significant negative cumulative effects on the physical and human environments. Purchasing the property would conserve an intact parcel of Bighorn River bottom habitat that is of high value for wildlife while also expanding compatible recreational opportunities, adjacent to an existing WMA. Traditional landowners along the Bighorn River continue to experience increasing pressure to sell their land for recreational purposes. However public recreational use and improvement of wildlife habitat on the property would be unlikely if the property is not acquired by FWP.

### **PART III. NARRATIVE EVALUATION AND COMMENT**

The primary goal of this proposed acquisition is to conserve and improve riparian habitat and enhance public recreational opportunities on land immediately adjacent to the Grant Marsh WMA. As small rural living properties and agricultural practices continue to fragment wildlife habitat and natural areas, pockets of native riparian vegetation become more valuable to sustaining wildlife populations.

The proposed land acquisition would have no significant negative cumulative effects on the physical and human environments. When considered over the long-term, this action poses positive effects for conserving and restoring riparian zones, which are high value habitats for wildlife, and the public's continuing access to a scenic reach of the Bighorn River. If acquired, the natural environment would continue to exist and provide habitat to a suite of wildlife species benefitting the public in perpetuity.

## **PART IV. PUBLIC PARTICIPATION**

### **A. Public involvement**

The public will be notified in the following manners to comment on this current EA, the proposed action, and alternatives:

- Public notices in each of these papers: *Big Horn County News*, *Billings Gazette*, *Helena Independent Record*
- Direct mailing to adjacent landowners and interested parties;
- Public notice on the FWP web page: <http://fwp.mt.gov>

### **B. Duration of comment period**

The public comment period will extend for thirty (30) days following release of the EA. Written comments will be accepted until 5:00 p.m., February 24, 2017, and can be mailed to:

Megan O'Reilly  
Wildlife Biologist  
2300 Lake Elmo Drive  
Billings, MT 59105  
[moreilly@mt.gov](mailto:moreilly@mt.gov)

## **PART V. EA PREPARATION**

Based on the significance criteria evaluated in the EA, an EIS is not required. The proposed action is expected to be a benefit to the physical and human environment. The change in property ownership will not result in any new development on the site.

### **Persons responsible for preparing the EA:**

Steve Atwood  
Wildlife Biologist  
352 I-94 Business Loop  
Miles City, MT 59301

Megan O'Reilly  
Wildlife Biologist  
2300 Lake Elmo Drive  
Billings, MT 59105



## **APPENDIX A**

### **GRANT MARSH WMA MANAGEMENT PLAN**

#### **Introduction**

This document is intended to provide management direction for the Grant Marsh Wildlife Management Area (WMA) addition. The Goals, Objectives, and Strategies as stated in the management plan would be consistent for the new addition. Although located on the Bighorn River it has many of the same attributes as the Yellowstone WMA located 25 miles northwest along the Yellowstone River. The primary management goal would be to conserve the intact riparian community and enhance uplands to provide habitat, primarily for pheasants and white-tailed deer in a manner that would also provide substantial public hunting opportunities.

#### **Management Strategies**

1. Prevent the loss or degradation of riparian habitat within WMAs. Restrict development, vehicle traffic, and other disruptive land uses. When and where appropriate encourage growth of natural woody vegetation.
2. The entire addition would be managed with limited vehicle access. Primary access points would be through the existing Grant Marsh WMA, boat-in access from the Bighorn River, and parking areas off Highway 47.
3. The agricultural land, guided by a long-term habitat management plan, would be managed to provide for the year-round habitat requirements of pheasants and white-tailed deer. Monitoring would be conducted at regular intervals to gauge success.
4. The overall strategy would be to manage the new acquisition as an addition to the existing Grant Marsh WMA with a focus on being a good neighbor, including expansion of boundary signs, maintaining fences where needed, and managing noxious weeds.
5. Upon completion of the acquisition, a more detailed management plan would be developed, but in general, management of the cropland area would follow the model used on the Yellowstone WMA which includes development of nesting and brood rearing cover and food plots. Some portion of this work may be accomplished through a crop share lease arrangement.